

LISTING OF CLAIMS

Claim 1-65. (Cancelled).

Claim 66. (Currently amended) A method for treating an anemic condition in a subject, the method comprising administering to the subject a therapeutic amount of a recombinant erythropoietin produced in baby hamster kidney cells, the recombinant erythropoietin consisting of Epoetin Omega, wherein the amount of recombinant erythropoietin administered is selected to provide a therapeutic benefit within a treatment period, and wherein the subject is non responsive when treated with a therapeutic amount of Epoetin Alfa or Beta.

Claim 67. (Withdrawn) The method of claim 66 wherein the erythropoietin is Epoetin Omega.

Claim 68. (Previously presented) The method of claim 66 wherein the anemic condition is associated with an anemia associated with a renal condition.

Claims 69. (Withdrawn) The method of claim 66 wherein the treatment is for preventing an anemic condition associated with an operative procedure.

Claim 70. (Withdrawn) The method of claim 66 wherein the recombinant erythropoietin is administered in a preoperative step.

Claim 71. (Withdrawn) The method of claim 66 wherein the operative procedure is bone marrow transplantation.

Claim 72. (Withdrawn) The method of claim 66 wherein the anemic condition is associated with a heart condition.

ELX-5704(US)
BXTD 9005
PATENT

Claim 73. (Withdrawn) The method of claim 66 wherein the anemic condition is associated with liver dysfunction.

Claim 74. (Withdrawn) The method of claim 66 wherein the anemic condition is associated with hepatitis.

Claim 75. (Withdrawn) The method of claim 66 wherein the anemic condition is associated with cancer.

Claim 76³. (Original) The method of claim 66 wherein the therapeutic benefit is selected from the group consisting of increased RBC, increased HCT, increased hemoglobin and increased vigor.

Claim 77⁴. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 5 to about 150 IU/Kg, one to three times per week.

Claim 78⁵. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 10 to about 100 IU/Kg, one to two times per week.

Claim 79⁶. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 10 to about 75 IU/Kg, one to two times per week.

Claim 80⁷. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 25 to about 60 IU/Kg, two times per week.

Claim 81⁸. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 25 to about 35 IU/Kg, two times per week.

Claim 8⁹. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 75 to about 150 IU/Kg, once per week.

Claim 8¹⁰. (Original) The method of claim 66 wherein the recombinant erythropoietin is administered at a dose of about 75 to about 100 IU/Kg, once per week.

Claim 8¹¹. (Original) The method of claim 66 wherein the treatment period includes a titration period and the recombinant erythropoietin is administered at an initial dose of about 50 to about 100 IU/Kg per week during the titration period and is adjusted by about 5 to about 25 IU/Kg/week to obtain a hemoglobin count of about 10 to about 12 g/dl.

Claim 8¹². (Original) The method of claim 66 wherein the treatment period further includes a maintenance period, and the recombinant erythropoietin is administered at a dose of about 40-60 IU/Kg per week during the maintenance period.

Claim 86. (Withdrawn) The method of claim 66 wherein the anemic condition is associated with a cancer therapy.

Claim 87. (Withdrawn) The method of claim 66 wherein the cancer therapy is a chemotherapy.

Claim 88. (Withdrawn) The method of claim 87 wherein the chemotherapy is a cisplatin therapy.

Claim 89. (Withdrawn) The method of claim 86 wherein the recombinant erythropoietin is administered before, during, or after the cancer therapy.

Claims 90-116. (Cancelled).

Claim 117. (Currently amended) A method for treating an anemic condition in a subject, the method comprising administering to the subject a therapeutic amount of a recombinant erythropoietin produced in baby hamster kidney cells, the recombinant erythropoietin consisting of Epoetin Omega, wherein the amount of recombinant erythropoietin administered is selected to provide a therapeutic benefit within a treatment period, and wherein the subject is adversely effected when treated with a therapeutic amount of Epoetin Alfa or Beta.

Claim 1¹⁴. (Previously presented) The method of claim 1¹⁷ wherein the adverse effect is selected from the group consisting of hypertension, headache, arthralgia, nausea, edema, fatigue, diarrhea, vomiting, chest pain, skin rash, dizziness, thrombosis and increased blood platelets.

Claim 1¹⁵. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 5 to about 150 IU/Kg, one to three times per week.

Claim 1¹⁶. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 10 to about 100 IU/Kg, one to two times per week.

Claim 1¹⁷. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 10 to about 75 IU/Kg, one to two times per week.

Claim 1¹⁸. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 25 to about 60 IU/Kg, two times per week.

Claim 1¹⁹. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 25 to about 35 IU/Kg, two times per week.

Claim 1²⁰. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 75 to about 150 IU/Kg, once per week.

Claim 1²¹. (Previously presented) The method of claim 1¹⁷ wherein the recombinant erythropoietin is administered at a dose of about 75 to about 100 IU/Kg, once per week.

Claim 1²². (Previously presented) The method of claim 1¹⁷ wherein the treatment period includes a titration period and the recombinant erythropoietin is administered at an initial dose of about 50 to about 100 IU/Kg per week during the titration period and is adjusted by about 5 to about 25 IU/Kg/week to obtain a hemoglobin count of about 10 to about 12 g/dl.

Claim 1²³. (Previously presented) The method of claim 1¹⁷ wherein the treatment period further includes a maintenance period, and the recombinant erythropoietin is administered at a dose of about 40-60 IU/Kg per week during the maintenance period.

Claim 128. (Cancelled)

Claim 1²⁴. (Previously presented) The method of claim 1¹⁷ wherein the anemic condition is an anemia associated with a renal condition.

ELX-5704(US)
BXTD 9005
PATENT

25
Claim 130. (Previously presented) The method of claim 1¹³ wherein the therapeutic benefit is selected from the group consisting of increased RBC, increased HCT, increased hemoglobin, and increased vigor.